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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

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14 SECURITIES AND EXCHANGE COMMISSION, Case No. 3:14-CV-02743-HSG
15 Plaintiff,
16 v.
17 SALEEM KHAN, et al.,
18 Defendants.

**STIPULATION AND ORDER
VACATING HEARING AND
SCHEDULING ORDER**

Hearing: 2:00 p.m., July 21, 2016, at
Courtroom 10, 19th Floor, 450 Golden Gate
Avenue, San Francisco, CA

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21 Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, Plaintiff Securities and Exchange
22 Commission (“Commission”) and Defendant Saleem Khan, through his counsel, and *pro se*
23 Defendant Roshanlal Chaganlal (collectively, the “Parties”) submit this Stipulation and Proposed
24 Order Vacating Hearing and Scheduling Order because the Parties have reached tentative agreement
25 on a proposed settlement, subject to the approval of the Commission. The Declaration of E. Barrett
26 Atwood in Support of this Stipulation is attached as Exhibit 1.
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STIPULATION

WHEREAS Plaintiff, on June 16, 2016, moved for summary judgment and noticed a hearing on that motion for 2:00 p.m., July 21, 2016 (Dkt. Nos. 116, 129-1), Defendant Khan opposed that motion (Dkt. No. 130), and Plaintiff filed its reply (Dkt. No. 131).

5 WHEREAS the Parties participated in extensive settlement discussions with the assistance of
6 Magistrate Judge Ryu (Dkt. No. 128), to whom the Court referred the case to for mediation (Dkt. No.
7 113). The Parties participated in a settlement meeting with Judge Ryu on June 21, 2016, and over the
8 following weeks, the Parties exchanged information and demands. These efforts culminated in the
9 Parties reaching tentative agreements on proposed settlements, the terms of which are set forth in
10 signed offers from each of the Defendants, but which are subject to the formal approval of the
11 Commission, and then of this Court.

12 WHEREAS the process for obtaining Commission consideration and approval requires a
13 formal presentation of the Defendants' respective offers to the commissioners who sit in Washington,
14 D.C., and given the press of their business, the process typically takes between approximately six and
15 eight weeks to complete.

16 WHEREAS the Court has set the pretrial conference for 3:00 p.m., September 13, 2016 (Dkt.
17 No. 108), requiring the Parties to meet and confer regarding pretrial issues, and exchange exhibits
18 and other items by August 16, 2016, file motions in limine by August 23, 2016, and file their pretrial
19 statements and proposed trial documents by August 30, 2016, and complete other tasks pursuant to
20 this Court's Civil Pretrial and Trial Standing Order.

WHEREAS completion of the pretrial activities and the hearing on the Commission's pending motion may result in the Parties losing value of their proposed settlements.

23 WHEREAS the Declaration of E. Barrett Atwood in Support of this Stipulation and
24 [Proposed] Order (attached as Exhibit 1) is submitted pursuant to Civil Local Rule 6-2.

25 **ACCORDINGLY, IT IS THEREFORE STIPULATED AND AGREED**, by and between
26 the Parties that the hearing set for July 21, 2016, and each of the impending dates in the Scheduling
27 Order in this matter (Dkt. No. 108) be vacated in order to allow the Commission to formally consider
28 the Parties' proposed settlements. If, within eight weeks (56 days) of the entry of this [Proposed]

1 Order, the Commission has yet to consider the proposed settlements, the Commission will so inform
2 the Defendants and the Court.

3
4 DATED: July 19, 2016

Respectfully submitted,

5 */s/ E. Barrett Atwood*
6 SECURITIES AND EXCHANGE
7 COMMISSION
E. Barrett Atwood
44 Montgomery Street, Suite 2800
8 San Francisco, CA 94104

9
10 */s/ Christopher J. Cannon*
11 SUGARMAN & CANNON
12 Christopher J. Cannon
13 180 Montgomery Street
Suite 2350
San Francisco, CA 94104
Counsel for Defendant Saleem Khan

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15 */s/ Roshanlal Chaganlal*
16 Roshanlal Chaganlal
(Pro Se)

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19 ORDER
20 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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22
23 DATED: July 20, 2016
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Hon. Haywood S. Gilliam, Jr.
UNITED STATES DISTRICT JUDGE

1 **ATTESTATION**

2 I, E. Barrett Atwood, am the ECF User whose identification and password are being used to
3 file the Stipulation and [Proposed] Order. I hereby attest that each of the above parties or their
4 representatives concurs in this filing to the extent indicated.

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6
7 Dated: July 19, 2016

/s/ *E. Barrett Atwood*

E. Barrett Atwood

Attorney for Plaintiff

SECURITIES AND EXCHANGE COMMISSION

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CERTIFICATE OF SERVICE

I, E. Barrett Atwood, am a citizen of the United States, over 18 years of age and not a party to this action. On July 20, 2016, I served the following documents:

- STIPULATION AND [PROPOSED] ORDER VACATING HEARING AND SCHEDULING ORDER; and
- DECLARATION OF E. BARRETT ATWOOD IN SUPPORT OF STIPULATION AND [PROPOSED] VACATING HEARING AND SCHEDULING ORDER

Via email to the following:

Roshanlal Chaganlal
4883 Thorndike Lane
Dublin, CA 94568
rchaganlal@gmail.com

and to the following via the Court's CM/ECF system:

Christopher Cannon, Esq.
Sugarman & Cannon
180 Montgomery Street, Suite 2350
San Francisco, CA 94104
Attorney for Defendant Saleem Khan

On July 20, 2016, I will cause these same documents to be served on Mr. Chaganlal at the above address via mail, postage prepaid.

I declare under penalty of perjury that the statements made above are true and correct.

Executed in San Francisco, California July 20, 2016.

/s/ *E. Barrett Atwood*

**Trial Attorney
SECURITIES AND EXCHANGE COMMISSION**